

HOUSE BILL 2897

By Jones S

AN ACT to amend Tennessee Code Annotated, Title 36,
Chapter 1 and Title 37, relative to adoption
preferences.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-1-115, is amended by deleting subsection (g) and by substituting instead the following:

(g)

(1) When a child is placed in a foster home by the department or otherwise, and becomes available for adoption due to the termination or surrender of all parental or guardianship rights to the child, those foster parents shall be given first preference to adopt the child if the child has resided in the foster home for twelve (12) or more consecutive months immediately preceding the filing of an adoption petition; provided, however, the first preference to adopt may be given to a relative with whom the child has a substantial relationship, as shown through historically significant contact and interaction with that relative.

(2) In becoming adoptive parents, the foster parents or relative shall meet all requirements otherwise imposed on persons seeking to adopt children in the custody of the department, and shall be subject to all other provisions of this part.

(3) For purposes of this subsection (g) "relative" means a person who was a legal relative, as defined by § 36-1-102, prior to the termination of parental rights or surrender.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to all cases in which a child is in foster care on or after the effective date of this act.